IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C.W.P.No. 5658 of 2007
Date of Decision : May 17, 2007.

Jaspal Singh .... Petitioner

Vs.

State of Punjab and others .... Respondents

CORAM : HON'BLE MR.JUSTICE J.S.KHEHAR.
HON'BLE MR.JUSTICE L.N.MITTAL.

* * *

Present : Mr.H.N.Khanduja, Advocate
for the petitioner.

Mr.B.S.Chahal, AAG, Punjab
for respondents no.1 to 5.

Mr.Karan Avtar Singh, Secretary, PWD (B&R), Punjab
(in person).

* * *

J.S.KHEHAR, J. (Oral) :

Mr.Karan Avtar Singh, Secretary, PWD (B&R), Punjab (respondent no.1) is present in Court in person, in terms of directions issued by us, earlier in the day today. Respondent no.1 states that he is aware of the controversy, as also the fact, that a deduction of a sum of Rs.33,178/- was made from the GPF Account of the petitioner, by way of instalments.

In view of the factual position noticed herein above, it is apparent that deduction of the aforesaid amount could not have been made once again, while releasing the petitioner his GPF. Accordingly, it will be imperative to direct the respondents to release the deducted amount to the

petitioner.

Respondent no.1, however, states that in the process of the instant refund, the petitioner will be entitled to refund after a deduction of approximately 2% as against the interest payable on the aforesaid amount, under the rules and regulations regulating the payment of GPF. He further states that after the said deduction has been made, the remaining amount shall be refunded to the petitioner, within one week from today.

In the aforesaid view of the matter, we consider it just and appropriate to dispose of the instant writ petition by directing the respondents to make the necessary calculations and refund the amount due to the petitioner within one week from today. On account of the fact that the petitioner has been harassed by the respondents, on a very trivial issue, we consider it just and appropriate to compensate the petitioner with costs, payable by the respondents. Accordingly, the respondents shall pay the petitioner costs, which are assessed at Rs.5,000/-. The aforesaid amount shall also be paid to the petitioner, along with the refund, referred to herein above.

(J.S.KHEHAR)
JUDGE

May 17, 2007
monika

(L.N.MITTAL)
JUDGE